



Sehappie
8-27-03

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q54505

Hitoshi MATSUMOTO, et al.

Appln. No.: 09/318,268

Group Art Unit: 2853

Confirmation No.: 1128

Examiner: Blaise L. MOUTTET

Filed: May 25, 1999

For: INK CARTRIDGE, INK-JET PRINTING APPARATUS, AND REFILLING DEVICE

TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450
Sir:

The undersigned, on behalf of the petitioner, SEIKO EPSON CORPORATION, represents that the petitioner, SEIKO EPSON CORPORATION is the owner of the entire right, title and interest of U.S. Application No. 09/434,125 (Atty. Dkt. No. Q56649), filed on November 5, 1999 for INK JET PRINTING APPARATUS AND INK CARTRIDGE by virtue of an Assignment from all of the inventors thereof executed on December 14 and 15, 1999, recorded on February 7, 2000 at Reel 010535, Frame 0782, now issued as U.S. Patent 6,361,138 as well as the entire right, title and interest in the above-captioned U.S. Application No. 09/318,268 by virtue of an Assignment from all of the inventors thereof executed on July 8, 1999, recorded on August 17, 1999, at Reel 010163, Frame 0995.

Petitioner hereby certifies that the above-mentioned Assignments have been reviewed and to the best of petitioner's knowledge and belief, title is in petitioner who is seeking to take this action.

Petitioner hereby disclaims the terminal part of any patent granted on the above-captioned U.S. Application No. 09/318,268 which would extend beyond the expiration of the full

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Terminal Disclaimer
U.S. Patent Application Ser. No.: 09/318,268

statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,361,138, and hereby agrees that any patent so granted on the above-captioned U.S. Application No. 09/318,268 shall be enforceable only for and during such period that the legal title to U.S. Patent 6,361,138 shall be the same as the legal title to said patent issuing from the above-captioned U.S. Application No. 09/318,268, this agreement to run with any patent granted on the above-captioned U.S. Application No. 09/318,268 and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-captioned U.S. Application No. 09/318,268 prior to the expiration date of the full statutory term as presently shortened by any terminal disclaimer of U.S. Patent 6,361,138 in the event that U.S. Patent 6,361,138 later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a Reexamination Certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by any terminal disclaimer, except for the separation of legal title stated above.

The undersigned whose signature and title appear below is empowered to act on behalf of petitioner.

Respectfully submitted,


Michael J. Whitehead
Registration No. 48,071

SUGHRUE MION, PLLC
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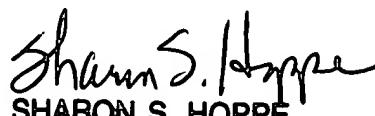
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Date: July 22, 2003

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SUBMISSION OF TERMINAL DISCLAIMER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith is a Terminal Disclaimer in the above-identified application. A check in the amount of \$110.00 is attached. The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account. A duplicate copy of this Submission is attached.

Respectfully submitted,


Michael J. Whitehead
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